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November 11, 2015

VIA ECF

Honorable Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Centre Street
New York, New York 10007

Re: Metal Bulletin Limited v. Scepter, Inc., 15-cv-4364 (JMF)

Dear Judge Furman:

We serve as counsel for defendant Scepter, Inc. and submit this letter on behalf of the parties in accordance with the Court's July 14, 2015 Order directing the parties to "report back to the Court on the status of the Tennessee action within 120 days of today or within one week after a decision by the United States District Court for the Middle District of Tennessee, whichever is sooner."

The instant action is the second-filed of two overlapping federal actions. This Court previously granted the parties' Joint Motion to Stay this action pending a determination by the United States District Court for the Middle District of Tennessee (the "USMDTN"), the Court in which the first-filed action is pending, as to which of the two actions will take priority. The priority issue has been submitted to the USMDTN in the form of Metal Bulletin Limited's Motion to Dismiss the action pending in that Court.

The parties report that the USMDTN has not yet ruled on the pending Motion to Dismiss and respectfully request that they be allowed to report back again within 60 days of the date of this report, or within one week after the USMDTN issues its decision, whichever is sooner.

Thank you for your attention to this matter.

Respectfully submitted,

/s/Harry H. Rimm

Harry H. Rimm

cc: Counsel of Record (via ECF)